

DISCUSSION OF THE AMENDMENT

Claims 1, 2 and 9 have each been amended by replacing “comprising” with --  
consisting of--.

No new matter is believed to have been added by the above amendment. With entry  
thereof, Claims 1-4 and 6-14 will remain pending in the application.

REMARKS

The rejection of Claims 9 and 10 under 35 U.S.C. § 102(b) as anticipated by US 5,641,855 (Scherr et al), is respectfully traversed.

Claim 9 is drawn to a process for the preparation of a water-soluble or water-dispersible compound consisting of:

- i) crosslinking of a compound selected from the group consisting of  
polyalkylenepolyamines, polyamidoamines grafted with ethyleneimine,  
polyether-amines, and mixtures of said compounds as component Aa,

with

a compound selected from the group consisting of at least bifunctional crosslinkers having, as functional group, a halogenhydrin, glycidyl, aziridine or isocyanate unit or a halogen atom, as component Ab;

and

- ii) **reaction of the product obtained in step i) with** a compound selected from the group consisting of monoethylenically unsaturated carboxylic acids, salts, esters, amides or nitriles of monoethylenically unsaturated carboxylic acids, and mixtures thereof, as component Ac.

(Emphasis added.)

In the Advisory Action, the Examiner finds that the embodiment of Scherr et al wherein compounds (a), (b) and (c) therein are reacted all together statistically results in at least some reactants reacting in the order as specified in these claims and that the use of the transitional term “comprising” leaves the claims open to the presence of reaction products formed by another route.

In reply, the rejected claims are process claims, not product claims. Thus, even if the Examiner were correct that some reactants, once all the reactants have been added, would

react in the order required by the present claims, it is irrelevant since Scherr et al does not disclose or suggest the manipulative steps of the rejected claims, as detailed above.

Nevertheless, the issue is moot in view of the above-discussed amendment, which negates *in toto* the Examiner's rationale. Accordingly, it is respectfully requested that this rejection be withdrawn.

The rejections under 35 U.S.C. § 103(a) of:

Claims 1-8 as unpatentable over US 6,573,228 (Littig et al) in view of Scherr et al;  
and

Claims 11-14 as unpatentable over Littig et al in view of Scherr et al, and further in view of US 2003/0195135 (Boeckh et al), are respectfully traversed.

As recited in above-amended Claim 1, an embodiment of the present invention is a composition for treating hard surfaces consisting of water, various optional components,

a) at least one water-soluble or water-dispersible compound as component A,  
which is prepared by reacting

- aa) a compound selected from the group consisting of  
polyalkylenepolyamines, polyamidoamines grafted with  
ethyleneimine, polyether-amines and mixtures of said compounds, as  
component Aa,
- ab) a compound selected from the group consisting of bifunctional  
crosslinkers having, as a functional group, a halogenhydrin, glycidyl,  
aziridine or isocyanate unit or a halogen atom, as component Ab, and
- ac) a monoethylenically unsaturated carboxylic acids acid selected from  
the group consisting of acrylic acid, methacrylic acid, ethylacrylic acid,  
salts, esters, amides or nitriles of monoethylenically unsaturated  
carboxylic acids, and mixtures thereof; and

b) at least one surfactant selected from the group consisting of anionic, nonionic, amphoteric and cationic surfactants, as component B.

As recited in Claims 11-14, other embodiments are drawn to a process for the treatment of hard surfaces. Claims 11, 13 and 14 require the composition of Claim 1. Claim 12 requires, in effect, only component A of Claim 1.

Applicants showed in the previous response that the polyamines of Littig et al's laundry detergent compositions included **no** mono-ethylenically unsaturated carboxylic acids selected from acrylic acid, methacrylic acid and ethylacrylic acid (which are not used as cross-linking units according to the present invention), as cross-linking units or as capping units, that the water-soluble compound A according to the present invention and the amide according to Littig et al are clearly different and thus, the modified polyamine compounds according to the present invention and according to Littig et al have different properties, especially concerning the interaction with surfaces, especially hard surfaces. Thus, Applicants showed that in effect, Littig et al is irrelevant, because their modified polyamine compounds are different from, and not suggestive of, presently-recited component A, and their disclosed utility is not the treatment of hard surfaces.

Applicants argued in the previous response that, in addition to the fact that Scherr et al neither discloses nor suggests the presence of a surfactant, as required in all claims except Claim 12, the only utility disclosed by Scherr et al is with regard to papermaking, and it is thus not clear why one of ordinary skill in the art would combine Littig et al, which is drawn to laundry detergents, and Scherr et al, which is drawn to papermaking. Nor is it clear, without the present disclosure as a guide, why one of ordinary skill in the art would substitute the water-soluble condensation products of Scherr et al for the fabric enhancement polyamines of Littig et al, given the significant differences between them. In addition, it is not clear why one of ordinary skill in the art would add a surfactant to the water-soluble

condensation products of Scherr et al for Scherr et al's utility in papermaking. In addition, neither Littig et al nor Scherr et al disclose or suggest the use of any of their compositions to treat hard surfaces.

In the Advisory Action, the Examiner simply cites precedents, including that it is impermissible to attack references individually when they have been applied in combination, while finding that the argument regarding the product formed in Littig et al "ignores the combination of the structure formed by the combination of references which substitutes equivalent and alternative cross-linking agents," and that Littig et al and Scherr et al "are analogous because they are from the same field of endeavor, i.e., the production of water soluble cross-linked and/or grafted polyamines.

In reply, responding to the above arguments by the above findings grossly simplifies these arguments and does not at all address the particular merits of each argument. There is no similarity in structure between the product of Littig et al and component A of Claim 1 such that the difference is simply a substitute of one obvious cross-linking agent for another. Nor is the present invention drawn to water-soluble cross-linked and/or grafted polyamines *per se* but to compositions and methods for treating hard surfaces, which also include the presence of a surfactant.

In the Advisory Action, in response to Applicants' argument in the previous response that Boeckh et al does not remedy the above-discussed deficiencies in the combination of Littig et al and Scherr et al, the Examiner finds that Boeckh et al is still, in effect, pertinent prior art in view of the use of the transitional term "comprising" in the claims.

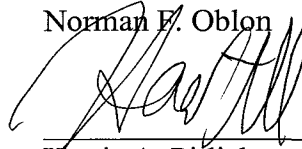
In reply, Applicants maintain their previous arguments about the non-pertinence of Boeckh et al. Nevertheless, the issue is now moot in view of the above-discussed amendment, since there can be no doubt that the particular cationically modified, particulate, hydrophobic polymers of Boeckh et al are different from component A herein.

For all the above reasons, it is respectfully requested that the rejections be withdrawn.

All of the presently-pending claims in this application are now believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

Respectfully submitted,

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